

108TH CONGRESS
1ST SESSION

S. 118

To develop and coordinate a national emergency warning system.

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2003

Mr. EDWARDS (for himself and Mr. HOLLINGS) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To develop and coordinate a national emergency warning
system.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Warning
5 Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Effective public warnings save lives, prevent
9 economic losses, reduce uncertainty and fear, and
10 quicken recovery.

1 (2) Effective public warnings empower citizens
2 to take appropriate actions when they are at risk
3 from natural hazards, technological accidents, and
4 acts of terrorism.

5 (3) Over ninety percent of public warnings
6 issued are related to weather events and natural dis-
7 asters.

8 (4) The Secretary of Commerce, acting through
9 the National Oceanic and Atmospheric Administra-
10 tion's National Weather Service, is the sole official
11 voice of the United States for issuing warnings dur-
12 ing life-threatening weather situations.

13 (5) The Secretary of Transportation, through
14 the Research and Special Programs Administration
15 of the Department of Transportation, is charged
16 with—

17 (A) protecting the public from the risks to
18 life and property related to the transportation
19 of hazardous materials (including chemicals and
20 spent nuclear materials) by air, water, rail, and
21 highway;

22 (B) assuring safety from the risks of pipe-
23 line transport;

1 (C) providing civil sector preparedness and
2 first-responder training for the Nation's trans-
3 portation emergencies; and

4 (D) coordinating the restoration of essen-
5 tial transportation systems after emergencies.

6 (6) Other Federal civilian agencies, including
7 the Transportation Security Administration, the
8 United States Coast Guard, and the Federal Emer-
9 gency Management Agency are tasked with gath-
10 ering, coordinating, and disseminating information
11 and assistance relating to threats to security on the
12 land, on the sea, and in the air.

13 (7) The National Telecommunications Informa-
14 tion Administration and the Federal Communica-
15 tions Commission possess expertise concerning new
16 technologies to improve the speed and breadth of
17 communications to the general public concerning
18 threats from weather, natural disasters, acts of ter-
19 rorism, and other threats.

20 (8) Metropolitan and State authorities, in part-
21 nership with the National Weather Service and other
22 Federal agencies, have the primary responsibility for
23 providing emergency warnings and rely on national
24 procedures, standards, and systems for delivering
25 such warnings.

1 (9) The current patchwork of warning mecha-
2 nisms often fails—

3 (A) to provide all necessary information re-
4 garding threats and appropriate responses; and

5 (B) to reach all those at risk, particularly
6 those in isolated places.

7 (10) National procedures, standards, and sys-
8 tems for public warnings, including technology pro-
9 tocols for the delivery of such warnings, will signifi-
10 cantly improve the effectiveness of public warnings
11 at saving lives, reducing injuries, and reducing the
12 costs of disasters and terrorist acts to the American
13 people.

14 **SEC. 3. PURPOSE.**

15 The purpose of this Act is to ensure that an effective
16 public warning system exists to alert Americans to specific
17 risks from natural disasters, man-made disasters, and
18 other hazardous events, including chemical and biological
19 threats and other acts of terrorism.

20 **SEC. 4. DEVELOPMENT OF NATIONAL ALL-HAZARD WARN-**
21 **ING SYSTEM.**

22 (a) IN GENERAL.—Not later than 1 year after the
23 date of enactment of this Act, the Secretary of Commerce
24 and the Secretary of Homeland Security, working in co-
25 ordination with appropriate Federal agencies, shall estab-

lish comprehensive national standards and systems for providing effective public warnings.

(b) DEVELOPMENT OF EMERGENCY WARNING NETWORK.—In carrying out subsection (a) the Secretary of Commerce, in coordination with the Secretary of Homeland Security, the Secretary of Transportation, the Secretary of Defense, representatives of other Federal departments and agencies, representatives of State and local governments, representatives of the private sector, media, and academia involved in the collection, issuance, dissemination, and distribution of public warnings, as well as other interested public and private entities, shall—

(1) develop and implement benchmarks for assessing current all-hazard warning capabilities, including such capabilities of the National Oceanic and Atmospheric Administration’s National Weather Service, the United States Geological Survey’s National Earthquake Information Center, and the Department of Transportation’s Office of Pipeline Safety;

(2) conduct research and pilot programs on ways to determine and improve the effectiveness of all-hazard warnings;

(3) develop specifications for a national backbone, modeled after the National Oceanic and At-

1 mospheric Administration’s National Weather Radio,
2 to be used to collect all-hazard warnings from des-
3 ignated authorities and route them to appropriate
4 dissemination systems;

5 (4) work with the Assistant Secretary of Com-
6 merce for Communications and Information to use
7 the full range of communications technologies to
8 provide warnings, including, as appropriate—

9 (A) traditional telephones, including special
10 alert rings to warn individuals in their homes or
11 businesses;

12 (B) wireless technology, including cellular
13 telephones and pagers; and

14 (C) the Internet, including electronic mail;

15 (5) work with the Federal Communications
16 Commission to provide warnings to the public
17 through automatic alert televisions and radios;

18 (6) educate the public about all-hazard warn-
19 ings; and

20 (7) engage in other necessary or appropriate ac-
21 tivities to carry out the purpose of this Act.

22 (c) TERMINOLOGY, PROTOCOLS, AND TERRORISM
23 WARNINGS.—In carrying out subsection (a) the Secretary
24 of Homeland Security shall—

1 (1) develop and recommend standards and
2 guidelines for universal all-hazard warning termi-
3 nology and protocols in coordination with the Sec-
4 retary of Commerce, the Secretary of Transpor-
5 tation, the Secretary of Defense, representatives of
6 other Federal departments and agencies, representa-
7 tives of State and local governments, representatives
8 of the private sector, media, and academia involved
9 in the collection, issuance, dissemination, and dis-
10 tribution of public warnings, as well as other inter-
11 ested public and private entities; and

12 (2) issue warnings related to acts of terrorism
13 and other public safety threats within its jurisdiction
14 via the public warning system developed in accord-
15 ance with the standards and systems established
16 under subsection (a).

17 (d) EFFECT ON INTELLIGENCE SOURCES.—The Sec-
18 retary of Commerce and the Secretary of Homeland Secu-
19 rity shall coordinate their respective and joint activities
20 under this section with the Director of Central Intelligence
21 to ensure that the procedures, standards, and systems es-
22 tablished under this Act do not adversely affect the protec-
23 tion of sources and methods.

24 (e) REPORTS TO CONGRESS.—The Secretary of Com-
25 merce and the Secretary of Homeland Security shall sub-

1 mit a joint report to the Congress on the status of public
 2 warning capability in the United States not later than 6
 3 months after the date of enactment of this Act and every
 4 6 months thereafter.

5 (f) ADVISORY COMMITTEES.—The Secretary of Com-
 6 merce and the Secretary of Homeland Security may utilize
 7 1 or more advisory committees in carrying out their re-
 8 spective and joint responsibilities under this Act.

9 **SEC. 5. DEFINITIONS.**

10 In this Act:

11 (1) ALL-HAZARD.—The term “all-hazard”
 12 means an emergency or disaster resulting from—

13 (A) a natural disaster;

14 (B) an accident; or

15 (C) an intentional or negligent act.

16 (2) EFFECTIVE PUBLIC WARNING.—The term
 17 “effective public warning” means practical, com-
 18 prehensible, and timely information given to all indi-
 19 viduals threatened by an all-hazard event sufficient
 20 to enable them to act to protect their safety and
 21 well-being in a timely manner.

22 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated for the pur-
 24 pose of carrying out the provisions of this Act—

25 (1) \$10,000,000 for fiscal year 2004; and

- 1 (2) such sums as may be necessary for each of
- 2 the fiscal years 2005 through 2008.

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